

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION
NO. 05-10088-MBB

JULIANNE MARIE EVANS
Plaintiff,

VS.

NANTUCKET COMMUNITY SAILING, INC.,
RONAN O'SIOCHRU and DONNCHA KIELY
Defendants.

DEFENDANTS' LIMITED OPPOSITION TO PLAINTIFF'S
MOTION FOR CLARIFICATION

Now come the defendants, Nantucket Community Sailing, Inc., Ronan O'Siochru, and Donncha Kiely, in the above captioned action, by and through their undersigned counsel, and file their Limited Opposition to Plaintiff's Motion for Clarification.

The defendants submit that the plaintiff's former counsel's Motion to Withdraw remains pending before this Honorable Court. The defendants reiterate that they have no objection to the plaintiff's former counsel's withdrawal provided that the Court's Order dated March 16, 2006 is satisfied and defense counsel receives the Court ordered costs involving Dr. Mann.

Within the plaintiff's present Motion for Clarification, she seeks an Order that absolves her from any responsibility to satisfy the Court's Order regarding costs.

The defendants submit that if this Honorable Court grants the relief that the plaintiff is seeking, there is no assurance that the plaintiff's former counsel will satisfy the awarded costs involving Dr. Mann, which total \$6,947.95.

The defendants seek payment of the Court ordered costs involving Dr. Mann. Accordingly, the defendants submit that this Honorable Court should direct both the plaintiff and/or her former counsel to satisfy the Court's Order and this action will not proceed further until such payment is made. If the payment is not received, contempt should issue to compel payment as directed by this Honorable Court.

Defense counsel reiterates that if there is satisfaction of the Court's Order and payment is received, then the defendants have no objection to the withdrawal and the substitution of successor counsel.

WHEREFORE, the defendants pray that plaintiff's Motion for Clarification be denied whereby this Honorable Court issues an Order requiring that the plaintiff and/or her former counsel satisfy the Court's Order dated March 16, 2006 and if the payment is not received, contempt will issue to compel payment and all further proceedings in this matter will be held in abeyance until the Court's Order is satisfied.

Respectfully submitted
by their attorneys,
CLINTON & MUZYKA, P.C.,

"/s/Thomas J. Muzyka"

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Dated: May 11, 2006